IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.1564 OF 2005

Indrajit Genba Shirke ...Appellant
vs.
Jagannath Krishna Shirke & Ors. ...Respondents

Mr.V.S.Talkute for the Appellant
Mr.P.B.Shah for the Respondent No.1

CORAM: A.S.OKA, J.
DATED: APRIL 5, 2006.

P.C.:

1. Heard learned Counsel for the parties.

2. The learned Counsel for the appellant submitted that the Respondent no.1-original Plaintiff has not established that his predecessor-in-title was the owner of the suit property and therefore, the respondent No.1 cannot claim right, title or interest in respect of the suit property.

3. Perusal of the Judgments of the Courts below show that the entire oral and documentary evidence on record has been considered and a finding is recorded that the Predecessor-in-title of the Respondent No.1 has inducted the grand father of the appellant as the licensee of the suit property. It is also held that the predecessor-in-title of the Appellant was the owner of the property It is not permissible to interfere with the said findings which are based on appreciation of oral and documentary evidence on record.

4. No substantial question of law arises. Second Appeal is

dismissed with no order as to costs.

Judge.